

From: [Davis, Kathy](#)
To: [Firestone, Michael](#)
Subject: RE: OP position on family farm exemption
Date: Tuesday, March 26, 2013 10:55:00 AM

Hey Michael

I think the family farm exemption is likely to stay as is – no change from current rule. I know the optics are bad, but keep in mind the rule only applies to working children who receive a wage... probably only a handful. DoLs lost their proposed changes to the FLSA on the basis of impacts to family farms – and they hadn't even suggested a change! The message about their proposal got hijacked and there was such a furor from ag that they dropped the entire thing.

There is a briefing for the acting administrator today on the WPS, so we'll see (I think Karen from OP was going to try to go, and maybe bring up the family farm dilemma). I'll let you know if I hear anything.

We found – somewhat belatedly – that the rule will go to USDA before it goes to OMB, so the draft pub date is moved to January. That is, if we wrap up discussions with USDA in 30 days....stay tuned!

Kathy

From: Firestone, Michael
Sent: Tuesday, March 26, 2013 9:53 AM
To: Davis, Kathy
Subject: RE: OP position on family farm exemption

Kathy

Anything new on the family farm exemption?

Has the rule making package gone to OMB? Any idea re: turn-around time? Is there an update schedule for the WPS and C&T?

Thanks.

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From: Davis, Kathy
Sent: Monday, February 25, 2013 10:44 AM
To: Firestone, Michael
Subject: RE: OP position on family farm exemption

Thanks, Michael – I've forwarded your e mail in support of the minimum age for immediate family members to my Branch Chief. I'll let you know what I hear.

Kathy

From: Firestone, Michael
Sent: Monday, February 25, 2013 10:32 AM
To: Davis, Kathy
Cc: Thundiyil, Karen; Pont, Richard; Foos, Brenda
Subject: RE: OP position on family farm exemption

Kathy

Like Karen, I too remain concerned about the farm family exemption. As we discussed much earlier, I see certain similarities to restrictions for operating motor vehicle or drinking and smoking that also come with age limits.

The reason these limits without exception are in place is to protect children from harm.

Please keep me in the loop when this issue is discussed with OP.

Thanks.

Michael

From: Thundiyil, Karen
Sent: Friday, February 22, 2013 4:20 PM
To: Pont, Richard; Davis, Kathy
Cc: Firestone, Michael
Subject: OP position on family farm exemption

Hello!

I talked to my AA about the changes with WPS NPRM and he remains concerned about the susceptibility of children to pesticide exposure with the family farm exemption. This is the same comment we had at FAR. (FAR memo attached) The concern remains as the revised proposal becomes less looser with family farm requirements.

He intends on talking about this to Jim. I just wanted to give you a heads up so there are no surprises. Please let me know if you have any questions!!

Karen.